

REMARKS

Reconsideration of the application in view of the above amendments and renumbering and the following remarks is respectfully requested.

Claims 1- 19 are pending in this application. Claims 2-9 have been amended. Claims 11-19 have been renumbered.

Claims 2- 9 have been amended as recommended by the examiner to make method claims depend on method claims. Claims 2-9 have not been narrowed by these amendments.

The office action states that Claims 1-3, 10-12, 19 are rejected on non-statutory double patenting grounds.

Applicant states that Examiner errs in stating that claims of the '957 patent are not patentably distinct from the present application. Claim 1 of the '957 patent reads

"1. An apparatus, comprising;

an optical fiber having an axis, the optical fiber comprising a solid outer cladding region and a core region, the cladding region surrounding the core region, wherein the core region contains a plurality of holes elongated in the direction of the axis, and wherein at least one hole contains a Raman amplifying gas; and

a diffusion barrier attached to the cladding layer, the diffusion barrier preventing significant diffusion of the Raman active gas out of the holes. "

There is no claim of adsorption

"b) introducing an optically active material into at least one hole, wherein the optically active material is adsorbed on an interior surface of the hole; then"

nor of detection of adsorbed material

"d) detecting the interaction of the laser beam with the material adsorbed on the interior surface

33 of the hole."

34 The entire thrust of the parent applications is that the Raman Active gas in the holey fiber may be
35 used in a non-linear way to produce light, and that a coating on the interior of the fiber prevents
36 diffusion of said Raman Active gas. There is no claim that material introduced into the holes
37 can be detected by the interaction of the guided photons and the molecules adsorbed on the wall.

38 Thus, claims 1-19 are allowable on double patenting grounds.

39 On the basis of the above amendments and remarks, reconsideration of this application
40 and its early allowance is respectfully requested.

41 **CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

42 I hereby certify that the following **attached** correspondence comprising:

43 Amendment and Response

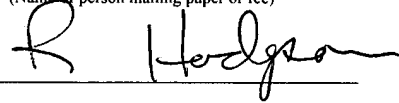
44 Acknowledgment Card

45 is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

46 Commissioner of Patents ,Alexandria, VA 22313-1450 on August 27, 2004

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48 Rodney T. Hodgson Agent # 37,849

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